

**UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MISSOURI (ST. LOUIS)**

IN RE:

Angela Goodrich

Debtor,

Hon. Judge Bonnie L. Clair

No. 24-40068

Chapter 13

Hearing Date: 09/10/2024

Hearing Time: 10:00 AM

**Hearing Location: Thomas F. Eagleton Courthouse
111 South Tenth Street
Floor 7, South Courtroom
St. Louis, Missouri 63102**

Objection Deadline: 09/03/2024

NOTICE OF HEARING AND MOTION FOR RELIEF FROM THE AUTOMATIC STAY

**BY HSBC BANK USA, NATIONAL ASSOCIATION, AS TRUSTEE FOR THE BENEFIT OF THE
HOLDERS OF THE CITIGROUP MORTGAGE LOAN TRUST INC., ASSET-BACKED PASS-
THROUGH CERTIFICATES, SERIES 2007-SHL1**

WARNING: THIS MOTION FOR RELIEF FROM THE AUTOMATIC STAY SEEKS AN ORDER THAT MAY ADVERSELY AFFECT YOU. IF YOU OPPOSE THE MOTION, YOU SHOULD IMMEDIATELY CONTACT THE MOVING PARTY TO RESOLVE THE DISPUTE. IF YOU AND THE MOVING PARTY CANNOT AGREE, YOU MUST FILE A RESPONSE AND SEND A COPY TO THE MOVING PARTY. YOU MUST FILE AND SERVE YOUR RESPONSE BY 09/03/2024. YOUR RESPONSE MUST STATE WHY THE MOTION SHOULD NOT BE GRANTED. IF YOU DO NOT FILE A TIMELY RESPONSE, THE RELIEF MAY BE GRANTED WITHOUT FURTHER NOTICE TO YOU. IF YOU OPPOSE THE MOTION AND HAVE NOT REACHED AN AGREEMENT, YOU MUST ATTEND THE HEARING. THE DATE IS SET OUT ABOVE. UNLESS THE PARTIES AGREE OTHERWISE, THE COURT MAY CONSIDER EVIDENCE AT THE HEARING AND MAY DECIDE THE MOTION AT THE HEARING.

REPRESENTED PARTIES SHOULD ACT THROUGH THEIR ATTORNEYS.

NOW COMES HSBC Bank USA, National Association, as trustee for the benefit of the holders of the Citigroup Mortgage Loan Trust Inc., Asset-Backed Pass-Through Certificates, Series 2007-SHL1 (hereinafter "Creditor"), by and through its attorneys, Codilis, Moody & Circelli, P.C. and moves this Honorable Court pursuant to 11 U.S.C. §362(d) for an Order granting Creditor relief from the automatic stay and in support thereof respectfully represents as follows:

1. This Court has jurisdiction pursuant to 28 U.S.C. §1334 and venue is fixed in this Court pursuant to 28 U.S.C. §1409;

2. Debtor filed a petition under Chapter 13 of Title 11, United States Bankruptcy Code on 01/09/2024;

3. Creditor is a secured Deed of Trust holder or servicer on the property commonly known as **261 Elmdale Dr, St Louis, MO 63135** by virtue of a properly perfected Deed of Trust recorded on 05/10/2002 at BP13831/0706 of the St. Louis County records;

4. As of 08/01/2024 the approximate payoff amount is currently \$55,197.16:

Unpaid Principal Balance	\$20,554.27
Deferred Balance	\$20,397.51
Accrued Interest	\$462.48
Escrow Advance	\$9,875.05
Accumulated Late Charges	\$13.23
Accumulated NSF Charges	\$50.00
Recoverable Balance	\$4,256.94
Suspense Balance- Trustee	(\$131.22)
Suspense Balance- PP Payment	(\$281.10)

5. Enforcement of this security interest has been stayed automatically by operation of 11 U.S.C. §362 of the Bankruptcy Code;

6. The Debtor's Chapter 13 plan herein provides for the cure of pre-petition arrearage by trustee disbursements, with post-petition payments being made directly to Creditor;

7. Creditor is entitled to relief from the automatic stay under 11 U.S.C. §362(d) for the following reasons:

- a) As of 08/01/2024, the Debtor is past due for the 06/01/2024 post-petition payment and all amounts coming due since that date;
- b) As of 08/01/2024, the total post-petition default through and including 08/01/2024, is \$971.91. The default consists of 3 post-petition payments (June-August) in the amount of \$323.97. The post-petition payment history is attached to this motion as Exhibit A;
- c) In addition, monthly payment obligations will continue to accrue under the terms of the Note;

8. Said failure to make post-petition mortgage payments is sufficient grounds for relief from the automatic stay for cause pursuant to 11 U.S.C. Section 362(d) (1);

9. PHH Mortgage Corporation services the underlying mortgage loan and note for the property referenced in this Motion for Relief for HSBC Bank USA, National Association, as trustee for the benefit of the holders of the Citigroup Mortgage Loan Trust Inc., Asset-Backed Pass-Through Certificates, Series 2007-SHL1 (the noteholder) and is entitled to proceed accordingly. Should the Automatic Stay be lifted and/or set aside by Order of this Court or if this case is dismissed or if the debtor obtains a discharge and a foreclosure action is commenced or recommenced, said foreclosure action will be conducted in the name of HSBC Bank USA, National Association, as trustee for the benefit of the holders of the Citigroup Mortgage Loan Trust Inc., Asset-Backed Pass-Through Certificates, Series 2007-SHL1 (the noteholder). HSBC Bank USA, National Association, as trustee for the benefit of the holders of the Citigroup Mortgage Loan Trust Inc., Asset-Backed Pass-Through Certificates, Series 2007-SHL1 (the noteholder) has the right to foreclose because: Noteholder is the original mortgagee or beneficiary or assignee of the security instrument for the referenced loan. Noteholder directly or through an agent has possession of the promissory note and the promissory note is either made payable to Noteholder or has been duly endorsed.

10. Movant has incurred recoverable attorney fees and/or costs in connection with this bankruptcy proceeding in the amount allowed by the Bankruptcy Court and Chapter 13 Trustee of the Eastern District of Missouri, which are not included on the calculation of any default figures quoted herein, including:

\$700.00	for Preparation of Notice and Motion for Relief from the Automatic Stay, and prosecution of same
\$199.00	for Court filing fee

11. The Court has authority to order that Rule 4001(a)(3) is not applicable to the order entered in granting this motion, and Creditor requests this Court so order;

WHEREFORE HSBC Bank USA, National Association, as trustee for the benefit of the holders of the Citigroup Mortgage Loan Trust Inc., Asset-Backed Pass-Through Certificates, Series 2007-SHL1 prays this Court enter an Order pursuant to 11 U.S.C. §362(d) modifying the automatic stay as to the property securing its interest, waiving the fourteen (14) day stay pursuant to Rule 4001(a)(3), approving its post-petition fees and costs incurred, and for such other and further relief as this Court may deem just and proper.

Dated August 8, 2024

Respectfully Submitted,

Codilis, Moody & Circelli, P.C.

BY: /S/ MARYANN BLACK

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NOTE: This law firm is a debt collector.

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Debtor,

Hon. Judge Bonnie L. Clair

No. 24-40068

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CERTIFICATE OF SERVICE

The undersigned, an attorney, hereby certifies that I have served a copy of this Notice along with the attached Motion upon the parties listed below as to the Trustee and Debtor's attorney via electronic notice on August 8, 2024 and as to the Debtor and U.S. Trustee by causing same to be mailed in a properly addressed envelope, postage prepaid, on August 8, 2024.

Angela Goodrich, Debtor, 261 Elmdale Dr., Saint Louis, MO 63135

Timothy Patrick Powderly, Attorney for Debtor, 11965 St. Charles Rock Road, Suite 202, St. Louis, MO 63044 by electronic notice through ECF

Diana S. Daugherty, Chapter 13 Trustee, P. O. Box 430908, St. Louis, MO 63143 by electronic notice through ECF

U.S. Trustee, 111 S. 10th Street #6.353 St. Louis, MO 63102

/s/ MaryAnn Black

Attorney for Creditor

Codilis, Moody & Circelli, P.C.

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